

Message Text

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ACTION ARA-10

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FM AMEMBASSY CARACAS

TO SECSTATE WASHDC PRIORITY 7817

INFO AMEMBASSY SANTIAGO PRIORITY

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E.O. 11652: N/A

TAGS: PFOR, PINS, CI, VE

SUBJECT: VENEZUELA WILL NOT GRANT ASYLUM TO CHILEAN SOLDIER IN
VENEZUELAN EMBASSY

1. FOLLOWING THE INCIDENT AT THE VENEZUELAN EMBASSY IN SANTIAGO FEBRUARY 27 IN WHICH 34 CHILEAN ASYLEES FORCIBLY PREVENTED THE RETURN OF A CHILEAN ARMY DESERTER TO THE CHILEAN MILITARY AUTHORITIES, ACTING FOREIGN MINISTER JOHN RAPHAEL HELD A PRESS CONFERENCE IN WHICH HE RELATED THE VENEZUELAN VERSION OF THE INCIDENT. ACCORDING TO RAPHAEL, TWO CHILEAN MILITARY OFFICERS ACCOMPANIED BY VENEZUELA'S MILITARY ATTACHE IN SANTIAGO ENTERED THE EMBASSY EARLY FEBRUARY 27, SPOKE WITH THE DESERTER, JORGE MADARIAGA GODOY, AND CONVINCED HIM THAT THE "MOST PRUDENT AND CONVENIENT THING" WOULD BE FOR HIM TO RETURN TO HIS ARMY DUTIES. SEEING THAT MADARIAGA WAS ABOUT TO LEAVE THE EMBASSY, THE 34 CHILEAN ASYLEES FORCIBLY DETAINED THE TWO CHILEAN OFFICERS IN PROTEST. FOLLOWING THE INTERVENTION OF THE VENEZUELAN AMBASSADOR, ANTONIO ARELLANO MORENO, THE TWO WERE RELEASED AND MADARIAGA REMAINED IN THE EMBASSY FOR THE TIME BEING.

2. REGARDING MADARIAGA'S REQUEST FOR ASYLUM, RAPHAEL STATED, "THE CONDITIONS OF THIS CASE ARE NOT COVERED BY INTERNATIONAL CONVENTIONS HAVING TO DO WITH ASYLUM AND, THEREFORE, OUR GOVERNMENT HAS NOT
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GRANTED HIM ASYLUM." HE SAID VENEZUELAN EMBASSY OFFICIALS IN

SANTIAGO WERE CONTINUING THEIR EFFORTS TO PERSUADE MADARIAGA TO LEAVE THE EMBASSY. RAPHAEL SAID THE GOC HAD GIVEN THE EMBASSY AN ASSURANCE THAT MADARIAGA, SHOULD HE RETURN TO HIS MILITARY COMMAND, WOULD NOT BE PENALIZED EXCEPT THAT HIS PERIOD OF MILITARY SERVICE WOULD BE EXTENDED.

3. ASKED WHETHER THE INCIDENT MIGHT HARM RELATIONS BETWEEN VENEZUELA AND CHILE, RAPHAEL RESPONDED NEGATIVELY. CONCERNING THE 34 CHILEAN ASYLEES IN THE VENEZUELAN EMBASSY, RAPHAEL SAID THEY WOULD BE LEAVING CHILE SOON AND THAT VIRTUALLY NONE OF THEM WILL COME TO VENEZUELA.

4. COMMENT: IT IS TOO EARLY TO SAY WHETHER YESTERDAY'S "MUTINY" AT THE EMBASSY, WHICH IS RECEIVING MUCH LOCAL PUBLICITY, WILL ALTER THE GOV'S POLICY OF PROVIDING A SAFE HAVEN IN ITS SANTIAGO EMBASSY TO CHILEANS FLEEING THE PINOCHET REGIME. ALTHOUGH RAPHAEL DID NOT INDICATE TO WHICH INTERNATIONAL CONVENTIONS CONCERNING ASYLUM HE WAS REFERRING, PRESUMABLY THESE ARE THE UNIVERSAL DECLARATION OF HUMAN RIGHTS, TO WHICH VENEZUELA IS NOT A PARTY, AND THE OAS CONVENTION ON DIPLOMATIC ASYLUM, WHICH VENEZUELA RATIFIED IN 1954. MCCLINTOCK

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